

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTIAN OWENS,

Plaintiff,

v.

DEB, *et al.*,

Defendants.

No. 4:22-CV-01571

(Chief Judge Brann)

ORDER

AND NOW, this 23rd day of February 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motions (Docs. 5, 11) to proceed *in forma pauperis* are **GRANTED**.
2. Plaintiff's second amended complaint, Doc. 9, is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted. Plaintiff's Section 1983 conditions-of-confinement claims are **DISMISSED** without prejudice as to defendants Deb, Kerry, Tiffany, and Katherine. Plaintiff's Section 1983 conditions-of-confinement claims are **DISMISSED** with prejudice as to defendants Scott, Weller, and Sauble.
3. Plaintiff, if desired, shall have **21 days** from the date of this Order to file a third (and final) amended complaint.
4. If no third amended complaint is timely filed, the case will be closed.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge